

29143. Frozen eggs. (F.D.C. No. 44597. S. No. 32-690 R.)

QUANTITY: 1,000 30-lb. cans, at Brooklyn, N.Y.

SHIPPED: 4-19-60, from Portland, Oreg., by Oregon Egg & Poultry Co.

LABEL IN PART: "Whole Eggs * * * Oregon Egg & Poultry Co. * * * Portland Oregon."

LIBELED: 6-14-60, E. Dist. N.Y.

CHARGE: 402(a)(3)—contained decomposed eggs when shipped.

DISPOSITION: 10-24-61. Consent—claimed by Helfer-King, Inc., New York, N.Y., and denatured.

29144. Frozen eggs. (F.D.C. No. 49227. S. No. 457 X.)

QUANTITY: 159 30-lb. cans, at Greenville, S.C.

SHIPPED: Between 7-26-63 and 8-1-63, from Blairsville, Ga., by Blue Ridge Egg Co.

LABEL IN PART: "Blue Ridge Egg Co. Whole Eggs Blairsville, Georgia."

LIBELED: On or about 9-3-63, W. Dist. S.C.

CHARGE: 402(a)(3)—contained decomposed eggs when shipped.

DISPOSITION: 11-12-63. Default—destruction.

FISH AND SHELLFISH

29145. Frozen fish fillets. (F.D.C. No. 49258. S. Nos. 28-469/71 X.)

QUANTITY: 362 cases, each containing 9 5-lb. pkgs. at Sioux City, Iowa.

SHIPPED: 1-12-63 and 3-13-63, from Gloucester, Mass., by F. W. Bryce, Inc.

LABEL IN PART: (Pkg.) "Breaded Haddock" and "Raw Haddock."

LIBELED: 9-9-63, N. Dist. Iowa.

CHARGE: 402(b)(2)—when shipped, pollock fish had been substituted in whole or in part for haddock; 403(a)—the label statements "Haddock" were false and misleading as applied to products consisting of fish fillets or portions of fish prepared from pollock fish; 403(b)—fillets or portions of fish other than that claimed on the labels had been offered for sale under the name of another food, namely, haddock; 403(e)(1)—the articles failed to bear a label containing the common or usual name of the food; and 403(i)(2)—the article labeled as breaded haddock was fabricated from two or more ingredients and it failed to bear a label containing the common or usual name of each ingredient.

DISPOSITION: 9-30-63. Consent—claimed by Stoller Fisheries, Inc., Spirit Lake, Iowa, and released under bond for relabeling.

29146. Frozen perch fillets. (F.D.C. No. 48987. S. No. 56-068 V.)

QUANTITY: 73 ctns., each containing 5 10-lb. ctns. of cellophane-wrapped fish fillets at Gloucester, Mass., in possession of New England Fillet Co., Inc.

SHIPPED: The fillets were prepared and packed from fish caught outside the territorial limits of the State of Massachusetts in the waters of the Atlantic Ocean by the fishing vessel "Sea Queen" which unloaded on 5-6-63.

LABEL IN PART: (50-lb. ctn.) "Seacrest Brand Ready to Cook Frozen Fillets Packed by New England Fillet Co., Inc. * * * Boston, Mass.," (10-lb. ctn.) "Seacrest Brand * * * Perch Frozen Fillets New England Fillet Co., Inc.,"

and (insert label) "Seacrest Brand Ocean Perch Frosted Fillets To be weighed at time of sale New England Fillet Co., Inc., Boston, Mass."

RESULTS OF INVESTIGATION: Examination showed that approximately 20 percent of the fillets did not have the scales removed.

LIBELED: 5-27-63, Dist. Mass.

CHARGE: 402(b)(2)—when shipped and while held for sale, fillets with scales had been substituted in part for fillets with scales removed; and 402(a)(3)—contained parasitic copepods.

DISPOSITION: 7-29-63. Default—delivered to a public institution for use as animal feed.

29147. Frozen perch fillets. (F.D.C. No. 49255. S. Nos. 7-787/90 X.)

QUANTITY: 1,394 ctns., each containing 12 1-lb. pkgs., at Portland, Maine.

SHIPPED: The fillets were prepared and packed at Portland, Maine, from fish caught by the fishing vessel "Kennebec," in the waters of the Atlantic Ocean outside the territorial limits of the State of Maine, which vessel landed the fish at Portland, on or about 8-13-63.

LIBELED: 9-9-63, Dist. Maine.

CHARGE: 402(a)(3)—contained decomposed fish fillets when shipped.

DISPOSITION: 10-3-63. Consent—claimed by Fulham Bros., Inc., Portland, Maine. Reconditioned; 9,036 lbs. destroyed.

29148. Frozen fish sticks. (F.D.C. No. 48891. S. Nos. 6-033 V, 6-049 V, 33-471 V.)

INFORMATION FILED: 9-13-63, Dist. Mass., against Fulham Bros., Inc., Boston, Mass.

SHIPPED: Between 10-19-62 and 10-29-62, from Massachusetts to Connecticut and Minnesota.

LABEL IN PART: (Pkg.) "18 Haddock Fishsticks * * * A Product of Fulham Brothers, Inc. General Offices, Boston, Mass., U.S.A. * * * Contains: Haddock, Toasted Wheat, Wheat Flour, Corn Flour, Dried Eggs, Non-Fat Milk Solids, Salt, Spices, Leavening, Vegetable Oil and Monosodium Glutamate"; "Finest 18 Haddock Fishsticks Net Wt. 14 oz. Packed For First National Stores, Inc. * * * Somerville, Mass."

CHARGE: 402(a)(3)—contained insects and insect and cockroach parts; 402(a)(4)—prepared under insanitary conditions; 403(a)—the label statement "Haddock" was false and misleading as applied to portions of the article which consisted of codfish; and 403(b)—portions of the article were offered for sale under the name of another food, namely, haddock.

PLEA: Guilty.

DISPOSITION: 9-23-63. \$5,000 fine.

29149. Dried abalone. (F.D.C. No. 47271. S. No. 74-961 T.)

QUANTITY: 28 50-lb. cases at San Francisco, Calif.

SHIPPED: Between 1-17-62 and 2-8-62, from Kobe, Japan.

LIBELED: 3-29-62, N. Dist. Calif.

CHARGE: 402(a)(3)—contained moldy abalone meat while held for sale.